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7 *Attorneys for Mark D. Waldron, Chapter 7 Trustee*

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

GIGA WATT, Inc., a Washington
corporation,

Debtor.

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

Chapter 7

**AMENDED DECLARATION OF
PAMELA M. EGAN IN SUPPORT
OF TRUSTEE'S MOTION TO
FIND THE PERKINS GROUP IN
CONTEMPT AND TO IMPOSE
SANCTIONS**

I, Pamela M. Egan, declare as follows:

1. I submit this amended declaration in support of the *Trustee's Motion to Find the Perkins Group in Contempt and to Impose Sanctions* ("Motion"), filed herewith. Unless otherwise defined herein, capitalized terms used in this amended declaration have the meanings ascribed to them in the Motion. A redline to my original declaration is attached hereto.

**AMENDED EGAN DECLARATION IN
SUPPORT OF TRUSTEE'S MOTION
TO FIND THE PERKINS GROUP IN
CONTEMPT AND TO IMPOSE SANCTIONS -- Page | 1**

2. My law firm, Potomac Law Group PLLC (“PLG”), is counsel to the Trustee. I am a partner in PLG.

3. The statements set forth herein are based on my personal knowledge or my review of the books and records of Giga Watt, Inc. (“Giga Watt” or “Debtor”). If called as a witness, I would and could competently testify thereto.

4. A true and correct copy of Mr. Dam’s Class Action Complaint, filed in the United States District Court for the Eastern District of Washington (“District Court”), Case No. 2:20-cv-464-SAB is attached to the RJN as Exhibit 1.

5. A true and correct copy of the *Order Denying Motions and Appeals*, dated July 7, 2022, filed by the District Court in Case No. 2:21-cv-00159-SAB is attached to the RJN as Exhibit 2.

6. On February 24, 2022, I sent a copy of the Preliminary Injunction to Mr. Cromwell by email.

7. A true and correct copy of *Order Cancelling Status Conference; Striking Motions; Staying Case*, dated August 1, 2022, filed in the District Court, Case No. 2:21-cv-00291-SAB is attached to the RJN as Exhibit 3.

8. Mr. Cromwell has stated to me on more than one occasion that he believes that “chaos and confusion” facilitate settlement. On December 7, 2022 before the Court of Appeals for the Ninth Circuit, during the oral argument on Perkins’ appeal of the denial of its motion to compel arbitration, Mr. Cromwell

AMENDED EGAN DECLARATION IN
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1 stated that he would prefer that the Court of Appeals delay issuing its decision on
2 the appeal pending mediation because “uncertainty,” in his opinion, is helpful.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed this 27th day of December 2022 in Seattle, Washington.

5
6 *s/ Pamela M. Egan*

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Pamela M. Egan
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22 **AMENDED** EGAN DECLARATION IN
23 SUPPORT OF TRUSTEE’S MOTION
24 TO FIND THE PERKINS GROUP IN
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REDLINE

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